



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC, FFT**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause (“One Month Notice”) pursuant to section 47;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The landlord attended. The tenant did not appear at the hearing. At the outset, the landlord stated that the parties had agreed that the tenancy continued, and the landlord had withdrawn the One Month Notice. The landlord stated the parties attempted the day before the hearing to withdraw the application by calling the RTB; however, the telephone connections were not working.

Preliminary Issue – Withdrawal of Application

Section 62(4)(b) of the *Act* states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the *Act*. I accept the landlord’s statement that the One Month Notice has been withdrawn and the parties have agreed that the tenancy shall continue.

Accordingly, I exercise my authority under section 62(4)(b) of the *Act* to dismiss the tenant’s application without leave to reapply.

Conclusion

The application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: November 16, 2021

Residential Tenancy Branch